


ANALYSIS

This ordinance extends Interim Ordinance No. 2012-0028U, as previously extended by Interim Ordinance No. 2012-0034U, for a period of nine months to April 15, 2014. This extension ordinance temporarily prohibits the establishment or development of all horse boarding and equestrian facilities on parcels located within the areas governed by the West Rancho Dominguez-Victoria Community Standards District ("CSD"), which CSD is generally bounded by 120th Street to the north; Alondra Boulevard to the south; Compton Avenue, Central Avenue, and Stanford Avenue to the east; and Figueroa Street to the west. Interim Ordinance No. 2012-0028U, adopted on July 17, 2012 and extended by Interim Ordinance No. 2012-0034U, is scheduled to expire July 15, 2013, unless extended pursuant to Government Code section 65858.

This extension ordinance is an urgency measure which requires a public hearing and a four-fifths vote by the Board of Supervisors for adoption. It is the last extension of the urgency ordinance allowed under Government Code section 65858.

JOHN F. KRATTLI
County Counsel

By



CASEY YOURN
Deputy County Counsel
Property Division

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Requested: 05-06-13
Revised: 06-19-13

ORDINANCE NO. 2013-0026U

An ordinance extending Interim Ordinance No. 2012-0028U, as previously extended by Interim Ordinance No. 2012-0034U, temporarily prohibiting the establishment or development of all horse boarding and equestrian facilities on parcels located within the area governed by the West Rancho Dominguez-Victoria Community Standards District ("CSD"), which CSD is generally bounded by 120th Street to the north; Alondra Boulevard to the south; Compton Avenue, Central Avenue, and Stanford Avenue to the east; and Figueroa Street to the west, declaring the urgency thereof and that this ordinance will take effect on July 15, 2013.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Interim Prohibition.

Pursuant to section 65858 of the Government Code, the Board of Supervisors having held a public hearing, hereby extends Interim Ordinance No. 2012-0028U, as previously extended by Interim Ordinance No. 2012-0034U, for nine months, to April 15, 2014. Interim Ordinance No. 2012-0028U, Interim Ordinance No. 2012-0034U, and now this extension ordinance provide that no new horse boarding and/or equestrian use shall be established or developed, and no existing horse boarding and/or equestrian use shall undergo any additional development or construction activity, during the duration of the respective ordinance. This interim prohibition shall not prevent any existing horse boarding and/or equestrian use from undergoing any demolition activity of existing facilities or structures, provided such demolition activity is carried out pursuant to a lawfully-issued demolition permit.

SECTION 2. Adoption and Expiration of Interim Ordinance; Authority.

Interim Ordinance No. 2012-0028U was adopted on July 17, 2012. Interim Ordinance No. 2012-0028U was extended for 10 months and 15 days by Interim Ordinance No. 2012-0034U on August 28, 2012, effective August 31, 2012. Unless this second-extension ordinance takes effect on or before July 15, 2013, Interim Ordinance No. 2012-0028U, as extended by Interim Ordinance No. 2012-0034U, will expire.

California Government Code section 65858 provides that an urgency measure in the form of an initial interim ordinance may be adopted without following the procedures otherwise required prior to adoption of a zoning ordinance, by a four-fifths vote of the Board of Supervisors, which shall be effective for only 45 days following its adoption. Government Code section 65858 further provides that such an urgency measure may be extended, following compliance with that section, for an additional 10 months and 15 days beyond the original 45-day period, and it can be extended a second time for up to an additional year.

SECTION 3. Definitions and Penalties.

The definitions and penalties for land use violations that are prescribed in Title 22 of the Los Angeles County Code shall apply to the interpretation and to violations of the provisions of this extended interim ordinance.

SECTION 4. Zoning Study Initiated; Determination of Immediate Threat.

The Los Angeles County Department of Regional Planning ("Regional Planning") has commenced a comprehensive zoning study, environmental review, and public

participation to consider a possible permanent zoning ordinance amendment related to horse boarding and equestrian uses in the CSD.

The Regional Planning zoning study is reviewing the applicable regulations and/or development standards in the CSD area that apply to new and/or existing horse boarding and equestrian uses to, among other things, assess: (a) the need, based on parcel size, to limit the number of horses allowed, and the number of horse stalls developed and maintained for these uses; (b) the sufficiency of existing infrastructure on and around the subject properties to ensure that these uses have, among other things, adequate facilities for animal waste disposal and proper drainage and water run-off; (c) the adequacy of fly, vermin, and pest controls or regulations for these uses; (d) whether, and to what extent, the existing uses comply with the County's applicable building, plumbing, electrical, and fire codes; and (e) the need to establish adequate parking, setback, and landscaping requirements for these uses.

Regional Planning is also conducting an environmental review to evaluate potential environmental impacts associated with a permanent zoning ordinance amendment and is initiating public participation within the affected communities so that input may be provided for such an ordinance amendment. These efforts are expected to be completed in approximately nine months.

Since the adoption of Interim Ordinance No. 2012-0028U, as extended by Interim Ordinance No. 2012-0034U, properties with horse boarding and equestrian uses within the CSD have been found to be substandard, as they were developed without the requisite land use approvals, approved business licenses, or proper building, electrical,

and/or plumbing permits. These facilities were also operated without adequate waste disposal or drainage systems for proper water run-off. In 2012, one of these boarding facilities caught fire resulting in the death of several animals and was subsequently demolished.

The residents within the CSD area have an established equestrian community and this community, as well as the area's public at large, should have access to local horse boarding and equestrian facilities that are governed by appropriate development standards and that are safe, clean, and code compliant. Allowing horse boarding and equestrian uses to develop further in the affected CSD area without the establishment of appropriate development standards may detract from the physical appearance, condition, and character of the area, and negatively impact the health, safety, and welfare of the area's horses, horse owners, and general public. Unless this second-interim ordinance is extended, as provided for herein, an irreversible incompatibility of land uses, and possible loss of animal life, might reasonably occur as a result of an approval of additional variances, building permits, site plans, or other applicable entitlements, all to the detriment of the public health, safety, and welfare. Accordingly, the Board of Supervisors finds that there is a current and immediate threat to the public health, safety, or welfare, and that the approval of additional variances, building permits, site plans, or other applicable entitlements absent extension of the restrictions contained in Interim Ordinance No. 2012-0028U would result in the realization of this current and immediate threat. If this interim ordinance does not take effect on July 15,

2013, the potentially conflicting uses established prior to the adoption of a permanent amendment to the Zoning Code may continue after the adoption of such amendment to the Zoning Code.

SECTION 5. Severability.

If any provision of this interim ordinance extension or the application thereof to any person, property, or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provisions or application, and, to this end, the provisions of the interim ordinance are hereby declared to be severable.

SECTION 6. Area of Applicability.

This interim ordinance applies to parcels located within the area governed by the CSD, as set forth in Section 22.44.130 of the County Code, which CSD is generally bounded by 120th Street to the north; Alondra Boulevard to the south; Compton Avenue, Central Avenue, and Stanford Avenue to the east; and Figueroa Street to the west.

SECTION 7. Urgent Need.

This interim ordinance extension is urgently needed for the immediate preservation of the public health, safety, and welfare, and it shall take effect on July 15, 2013, and it shall be of no further force and effect nine months following the date of its taking effect.

[2244130TSCCEXT2]

SECTION 8. This ordinance shall be published in The Daily Commerce a newspaper printed and published in the County of Los Angeles.



Mark Ridley-Thomas
Chairman

ATTEST:

Sachi A. Hamai
Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that at its meeting of July 9, 2013 the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

Ayes

Supervisors Gloria Molina
Mark Ridley-Thomas
Zev Yaroslavsky
Don Knabe
Michael D. Antonovich

Noes

Supervisors None

Effective Date: Pursuant to Section 7

Operative Date:

Sachi A. Hamai
Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that pursuant to
Section 25103 of the Government Code,
delivery of this document has been made.

SACHI A. HAMAI
Executive Officer
Clerk of the Board of Supervisors

By [Signature]
Deputy



APPROVED AS TO FORM:
JOHN F. KRATTLI
County Counsel

By [Signature]
Richard D. Weiss
Chief Deputy County Counsel